

PP:SAE
F. #2025R00208

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

EFRAIN PAPALEO,

Defendant.

COMPLAINT AND AFFIDAVIT IN
SUPPORT OF ARREST WARRANT

(18 U.S.C. § 922(g)(1))

25-MJ-166-(MMH)___

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EASTERN DISTRICT OF NEW YORK, SS:

Detective Michael McCarthy, being duly sworn, deposes and states that he is a Detective with the New York City Police Department, duly appointed according to law and acting as such.

On or about January 12, 2025, within the Eastern District of New York and elsewhere, the defendant EFRAIN PAPALEO, knowing that he had been previously convicted in a court of a crime punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a Smith & Wesson 38 Special Caliber revolver.

(Title 18, United States Code, Section 922(g)(1))

The source of your deponent's information and the grounds for his/her belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Detective with the New York City Police Department (“NYPD”) and a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). I have been a member of the NYPD for approximately 18 years and a Task Force Officer for over eight years. I have been involved in the investigation of numerous cases involving the recovery of firearms and ammunition. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant’s criminal history record; and from reports of other law enforcement officers involved in the investigation. Where I describe the statements of others, I am doing so only in sum and substance and in part.

2. On or about January 12, 2025, NYPD Officers observed the defendant, EFRAIN PAPALEO, driving a white Hyundai Elantra Sedan in Brooklyn, New York. Officers observed the white Hyundai Elantra Sedan parked, blocking a crosswalk. Officers observed the vehicle pull away, failing to signal upon departing from the crosswalk. Thereafter, Officers ran the registration for the white Hyundai Elantra Sedan, and said records indicated the vehicle was not registered. All of these actions are violations under New York State law.

3. NYPD Officers initiated lights and sirens and conducted a traffic stop of the Hyundai Elantra Sedan. NYPD Officers approached the driver-side window of the vehicle and observed the defendant, EFRAIN PAPALEO, seated in the driver’s seat of the vehicle. NYPD Officers requested PAPALEO roll his window down and asked PAPALEO to produce his license and registration. PAPALEO refused to produce said items. NYPD Officers asked PAPALEO to step out of his vehicle multiple times; however, PAPALEO refused NYPD Officers requests. As NYPD Officers again requested PAPALEO to step out of the vehicle, PAPALEO fled from the Officers in his vehicle.

4. Officers followed the defendant, EFRAIN PAPALEO, and engaged in a vehicle pursuit. NYPD Officers ultimately stopped PAPALEO at the southeast corner of Riverdale Avenue and Vermont Street in Brooklyn, New York. The NYPD officers arrested him for the violations above and unlawful fleeing a police officer in a motor vehicle. An NYPD Officer searched PAPALEO incident to his arrest and recovered a loaded Smith & Wesson defaced 38 special caliber revolver from the front waistband of PAPALEO's pants.

5. I have reviewed the defendant EFRAIN PAPALEO's criminal history. On or about August 24, 2016, PAPALEO was convicted in Kings County Supreme Court, after a guilty plea, of Attempted Criminal Possession of a Weapon in the Third Degree, in violation of NYPL § 265.02(1). On or about August 24, 2016, PAPALEO was sentenced to 18 months to 3 years in custody.

6. I have conferred with an interstate nexus expert, a Special Agent of the ATF, who has informed me, in sum and substance, that the defaced Smith & Wesson 38 special caliber revolver recovered in this case was manufactured outside the state of New York.

WHEREFORE, your deponent respectfully requests that the defendant EFRAIN PAPALEO, be dealt with according to law.

/s/ Michael McCarthy
Detective Michael McCarthy
Detective, New York City Police Department

Sworn to before me this
8th day of May, 2025 by telephone



THE HONORABLE MARCIA M. HENRY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK